

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

WILLIAM C. FLOYD JR.,

Petitioner,

vs.

SCOTT FRAKES, Director of the
Nebraska Department of Correctional
Services; and BRAD HANSEN, Warden
Tecumseh State Correctional Institution;

Respondents.

8:13CV195

**MEMORANDUM
AND ORDER**

This matter is before the court on Petitioner William C. Floyd Jr.’s (“Floyd”) “Objection to Filing No# 175,” which the court construes as a motion for reconsideration. ([Filing No. 176](#).) On March 5, 2019, the court denied Floyd’s request for an extension of time to file his brief in response and directed him to file his response no later than March 25, 2019. ([Filing No. 175](#).) Floyd now asks the court to reconsider granting his request for a 60-day extension of time to file and serve his brief and exhibit list in response to Respondents’ Answer ([filing no. 143](#)) and Brief ([filing no. 144](#)). Upon consideration, Floyd’s motion for reconsideration is denied.

Since Respondents’ filed their answer and brief on February 9, 2018, Floyd has been granted eight requests for an extension and Floyd has had over a year to prepare his brief. (*See* Filing Nos. [149](#), [153](#), [156](#), [160](#), [164](#), [167](#), [170](#), & [172](#).) Here, Floyd again cites to the limitations on his law library access at the Tecumseh State Correctional Institution (“TSCI”) as preventing his timely preparation of his brief. However, as the court has previously noted, Floyd has been well aware of these limitations since at least July of 2018 and it was incumbent upon him to plan accordingly to meet his briefing deadline. (*See* [Filing No. 165](#); [Filing No. 175](#).)

Moreover, the court has much experience with habeas actions brought by other prisoners housed at the TSCI who have been able to meet their filing deadlines without a disproportionate amount of time extensions like those sought by Floyd. In addition, the court must note that Floyd was previously appointed counsel in this matter, but ultimately chose to proceed without counsel and represent himself. (See Filing Nos. [81](#), [117](#), [119](#), & [120](#).)

As a pro se petitioner, Floyd cannot expect to receive unlimited extensions of time in which to meet court-appointed filing deadlines. The fact is Floyd has had more than adequate time to prepare his brief in response to Respondent's answer and brief, and the court finds no reason to delay progression of this matter any longer.

IT IS THEREFORE ORDERED that:

1. Petitioner's "Objection to Filing No# 175", construed as a motion for reconsideration, ([filing no. 176](#)) is denied.
2. Petitioner has until **March 25, 2019**, to submit his brief in response to Respondent's answer and brief.

Dated this 18th day of March, 2019.

BY THE COURT:

s/ *Richard G. Kopf*
Senior United States District Judge